

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JAN 21 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 21 2003

The applicant **Martha P. Sims-Hoots, Co-Trustee of the W.R. Peavey Testamentary Trust**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **1.00 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **100 acres within the Place of Use (Supplemental)**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SW¼ NW¼ of Section 17, T.36N., R.60E., M.D.B.&M., at a point from which the West ¼ corner of said Section 17, bears S 28° 10' 31" W, 786.64 feet**
6. Place of Use **Portions of the W½ NW¼ of Section 17; NE¼ of Section 18, T.36N., R.60E., M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Existing well, pump, motor, pipeline and ditches**
9. Estimated cost of works **\$20,000**
10. Estimated time required to construct works **The well has been drilled – 3 years to complete works**
11. Estimated time required to complete the application of water to beneficial use **5 years**

12. Remarks:

HIGH DESERT Engineering, Agent
By s/ Duane V. Merrill
640 Idaho Street
Elko, NV 89803

Compared cac/cmf lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for the irrigation of 100 acres within the described place of use.

The proposed place of use has Humbolt River decreed water appurtenant under Claim No, 00491 and as such, water under this permit can only be used if there is no decreed water available.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 300 acre-feet annually, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 20, 2007

Proof of completion of work shall be filed on or before:

June 20, 2007

Water must be placed to beneficial use on or before:

May 20, 2010

Proof of the application of water to beneficial use shall be filed on or before:

June 20, 2010

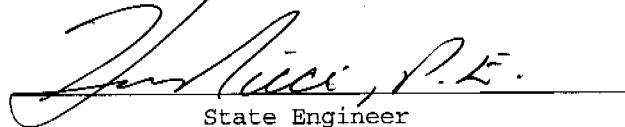
Map in support of proof of beneficial use shall be filed on or before:

June 20, 2010

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 20th day of May A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____